

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NOE MOLINA BENITEZ

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

**Judgment in a 2255 Case**

Criminal Case No. 7:07-CR-136-F-1

Civil Case Number: 7:09-CV-66-F

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for consideration of the petitioners motion to vacate.

**IT IS ORDERED AND ADJUDGED** that the petitioners motion to vacate the judgment entered herein on May 14, 2008 amending judgment, is **ALLOWED** in lieu of a contested evidentiary hearing.

This Judgment Filed and Entered on March 29, 2010, with service on:

Mitchell G. Styers and William E. H. Creech (via CM/ECF Notice of Electronic Filing)

March 29, 2010

/s/ Dennis P. Iavarone

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Clerk

Raleigh, North Carolina